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September 21, 2020

Honorable Brenda K. Sannes
United States District Judge
United States District Court
Northern District of New York
100 S. Clinton Street
Syracuse, New York 13261

Re: *Doe et. al v. Zucker et. al*
Northern District of New York
20-CV-0840 (BKS/CFH)

Dear Judge Sannes:

On August 24, 2020, the State Defendants filed a motion to dismiss. *See* Docket No. 28. The Plaintiffs' opposition was due on September 14, 2020, and our reply was due on September 21, 2020. *Id.* Please note that we will not file a reply because the Plaintiffs did not submit an opposition to the motion to dismiss.

While District Courts will not typically dismiss a case based solely on a plaintiff's failure to oppose a motion to dismiss, the instant complaint is deficient for the reasons stated in our motion to dismiss. *See* Docket No. 28. Because the Plaintiffs have taken no steps to cure the deficiency, the State Defendants must be dismissed from this action.

Thank you for your consideration of this matter.

Respectfully yours,

s/ Andrew W. Koster

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cc: All Counsel
VIA ECF